

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED OCT 12 2012

MAURICE EVERETT, : CIVIL ACTION
Petitioner,

v.

MICHAEL WENEROWICZ, et al., : NO. 12-140
Respondents.

ORDER

JOEL H. SLOMSKY, J.

AND NOW, this 12th day of October, 2012, upon careful and independent consideration of the petition for Writ of *Habeas Corpus*, and after review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, IT IS ORDERED that:

- i. The Report and Recommendation is APPROVED and ADOPTED.
- ii. The petition for Writ of *Habeas Corpus* is DISMISSED without prejudice.
- iii. There is no probable cause to issue a certificate of appealability.
- iv. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:

ENTERED

OCT 12 2012

CLERK OF COURT

Joel Slomsky
JOEL H. SLOMSKY, J.